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be granted that if a tax directly imposed by the legislature is otherwise lawful, the courts cannot declare it void because it seems unreasonably large; for the determination of what is then a reasonable tax is for the legislature. The courts will not question the decision of a co-ordinate branch of the government upon that point. See opinion of Marshall. C. J., in *Providence Bank v. Billings and Pittman*, 4 Pet. (U. S. Sup. Ct.) 514, 563; *Spencer v. Merchant*, 125 U. S. 345, 355. But it does not follow that the courts may not determine the reasonableness of a municipal tax. A municipal corporation has only the powers granted to it by the legislature; and it will not be presumed that under a general grant of power the legislature meant to authorize an unreasonable ordinance. See *Paxson v. Sweet*, 13 N. J. Law 196. The courts, in determining the extent of the power granted, have generally held that a municipal ordinance passed in pursuance of a general power must be reasonable. *Bennett v. Borough of Birmingham*, 31 Pa. St. 15; COOLEY, CONST. LIM.,* 200. Similarly, a power to license, unaccompanied by the power to tax, does not involve the right to tax, or to impose an unreasonable license fee. *The Laundry License Case*, 22 Fed. Rep. 701; *Ex parte Burnett*, 30 Ala. 461. It would seem that the same principles should apply to a general grant of taxing power, and that a municipal tax, to be valid, must be reasonable. COOLEY, TAXATION, 2d ed., pp. 597, 598. The presumption, however, is that the ordinance is reasonable unless clearly shown to be otherwise. *City of Burlington v. Putnam Ins. Co.*, 31 Ia. 102. On this narrow ground the decision of the Virginia court may possibly be supported, though the author's criticism of the reasoning seems just.

A BRIEF FOR THE TRIAL OF CRIMINAL CASES. By Austin Abbott, assisted by William C. Beecher. Second edition. By the publishers' editorial staff. Rochester: The Lawyers' Co-operative Publishing Company. 1902. pp. xx, 814. 8vo.

In plan and arrangement, this volume shows little change from the first edition, which appeared in 1889 and was reviewed in these pages. 3 HARV. L. REV. 235. As was there observed, "the whole book is modelled on a brief. Principles are stated in clear, terse language, and in each case followed by a list of authorities." It is designed primarily to assist the practitioner in solving the difficulties that are likely to arise unexpectedly during trial. It follows that the questions dealt with are chiefly those of adjective law, — evidence, pleading, and procedure. Some questions as to constitutional rights are considered, but little effort is made to treat problems of substantive law, as the latter do not often present themselves suddenly and are, of course, comprehensively dealt with elsewhere. Nor, as the author remarked in his preface to the first edition, has he attempted "to give rulings on very peculiar and unusual points."

The division into fifty main heads adopted in the first edition has been preserved and one sub-head has been added, — The Examination of Witnesses. The scope of the work is further extended by the addition of new sections, — nearly one hundred in all, — which cover topics not considered in the first edition. The most noticeable change is in the number of citations of authorities, there being almost twice as many as in the previous volume. The gist of most of the cases cited is indicated by brief summaries in the nature of headnotes. The book, though confining itself chiefly to American authorities, represents nearly every jurisdiction in the United States, and also records many statutory modifications of the common law.

Despite the substantial additions, the publishers have avoided material increase in the bulk of the volume, — at the cost, however, of some sacrifice in the excellence of paper and of typography. The helpfulness of the "catchwords" at the top of each page has been somewhat diminished in that they are now restricted to the main heads into which the book is divided, instead of including also the titles of the various sections as in the former edition. Notwithstanding these slight imperfections, however, the increase in the number of subjects

treated and of authorities quoted and the introduction of cases decided since the publication of the first edition, give the present volume a practical value considerably greater than that of its predecessor.

A TREATISE UPON THE LAW OF COPYRIGHT in the United Kingdom and the Dominions of the Crown and in the United States of America, containing a Full Appendix of all Acts of Parliament, International Conventions, Orders in Council, Treasury Minutes, and Acts of Congress now in Force. By E. J. MacGillivray. London: John Murray. New York: E. P. Dutton & Co. 1902. pp. xxxvi, 403. 8vo.

This work covers, briefly but with sufficient thoroughness, the whole field indicated by the title, with the single exception that the chapter on Colonial Copyright does not attempt to deal with the local legislation of the colonies, but merely with "the rights of a work published in one part of the British Dominions to receive protection in any other part of the British Dominions." There is also a chapter on International Copyright. The appendix contains the text of the statutes now in force in the United Kingdom and the United States, and the international conventions into which the former country has entered.

Although the author believes that the branch of the law with which he is dealing is defective in form and substance, he refrains from discussing what changes ought to be made and confines himself to setting forth the statute law, stating concisely the principles of the most significant cases in which it has been interpreted, and indicating very briefly his own opinion on doubtful points. The law of England and of America is treated in separate parts of the book, — an arrangement which the author amply justifies by referring to the differences in the statutes of the two countries. A work constructed in any other way is perhaps likely to prove a treatise on the law of one country with partial and deceptive illustrations from the other. It is not so clear why, within each part, the statutory protection of authors is treated before their common law rights. Though the latter topic is of very subordinate importance and of no more ancient origin than the former, it may be doubted whether logically it should not be given priority in order of treatment. Owing to the perplexing diversities of the English statutes, they receive a much more extended and analytic discussion than is accorded the American law. The work, as a whole, is a clear and interesting treatment of a difficult subject and a useful guide in a very obscure department of the law.

H. L. B.

PROBATE LAW. By M. D. Chatterton. 2 vols. Lansing: Robert Smith Printing Co. 1901. pp. lxxvii, 1-460; v, 461-1117. 8vo.

Since the law and the procedure of the settlement of the estates of deceased persons are regulated largely by local statutes, it seems appropriate for an author to direct his attention primarily to the probate law of a particular state, provided he supplements and reinforces his exposition of the local law by frequent use of decisions rendered in other states. On the other hand, a general system of probate law has been developed, either entirely apart from statutes or merely by way of interpretation of statutory provisions, common to all jurisdictions. Consequently a general treatise used in conjunction with the statutes and the digests of any given state or edited with especial reference to the peculiar development of the law in that state, would perhaps satisfy all the needs of the profession.

The author of the present volumes, equipped for his work by eight years' experience as a probate judge in Michigan, has followed the former method, devoting himself to an exposition of the probate law of that state. Michigan has largely copied the probate laws of Massachusetts, and her statutes have in turn been the basis of subsequent legislation in Iowa, Kansas, Minnesota, and Nebraska, and especially in Wisconsin. Constant references are therefore